

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**STEVEN DALE BYERLEY, JR., )**

**Plaintiff, )**

**vs. )**

**Case No. 5:09-cv-01781-RDP-HGD**

**CIRCUIT CLERK JOHN PAT )**

**ORR, et al., )**

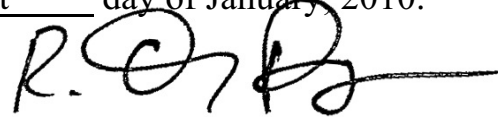
**Defendants. )**

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on December 4, 2009, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b) for seeking monetary relief from Defendants who are immune. No objections were filed by either party.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the recommendation is **ACCEPTED**. Accordingly, the complaint is due to be dismissed pursuant to 28 U.S.C. § 1915A(b) for seeking monetary relief from Defendants who are immune. A Final Judgment will be entered.

**DONE** and **ORDERED** this 21st day of January, 2010.

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

---

**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE